

### **REMARKS**

This amendment is a full and timely response to the Final Office Action mailed September 12, 2007. Reexamination and reconsideration are respectfully requested.

Applicants appreciate Examiners approval of drawings submitted with the June 21, 2007 Amendment. Applicants further appreciate Examiner's helpful suggestions regarding the title of this application.

### **Restriction Requirement**

Claims 3-7 were withdrawn from further consideration as being drawn to one or more non-elected species. This restriction is respectfully traversed.

It is respectfully submitted that claims 4, 6, and 7 read on elected Species I of Figs. 1-8. These claims have been amended to clarify any ambiguity regarding the intended scope of these claims and their correspondences with described embodiments, particularly with regard to the sides, the side members, and the side engagement members of the disk drive apparatus. For example, with attention to Fig. 5, claim 5 recites that "the number of longer-side engagement members [e.g. 12c and 12d] is less than the number of shorter-side engagement members [e.g. 12a and 12b]" (emphasis added). Claim 6 recites that "the longer-side engagement members [e.g. 12c and 12d] are formed so as to be smaller than the shorter-side engagement members [e.g. 12a and 12b]" (emphasis added). Claim 7 recites that "the disk drive body has a recess portion disposed so as to oppose to the shorter-side member."

Accordingly, in light of these clarifications, Applicants respectfully request consideration of the patentability of these claims.

## **Rejections**

Claims 1 and 2 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,207,342 to Tsuji et al. ("Tsuji"). This rejection is respectfully traversed.

Tsuji teaches a housing mechanism for electronic devices, such as floppy disk drives. (Tsuji, Abstract). The housing comprises upper and lower cabinets, which surround the floppy disk drive in a "sandwich[]" fashion. (Tsuji, 3:66-4:2). The two housing portions have means for engaging with each other to hold the housing together. (Tsuji, 2:52-64, Fig. 1). While Tsuji may teach some form of apparatus for use with a disk drive, it does not teach Applicants' claimed invention.

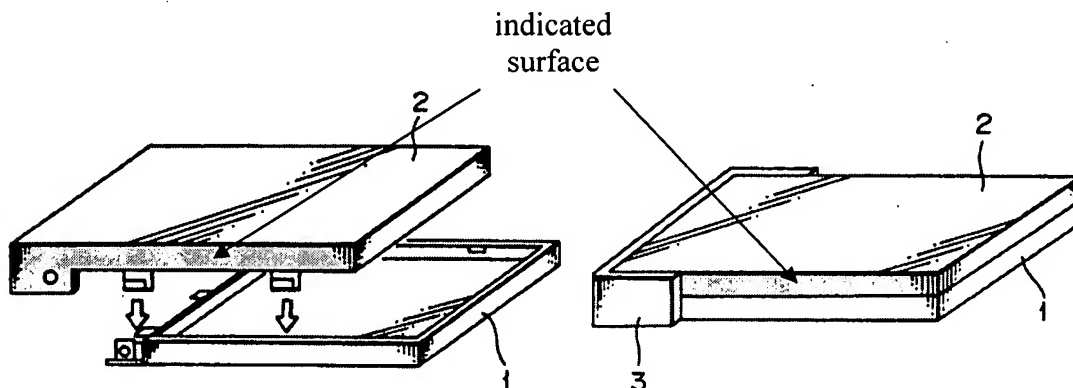
With regard to claim 1, Tsuji fails to adequately teach or suggest all of the recited features. For example, Tsuji fails to teach or suggest "a decorative panel covering approximately the entire surface of the side faces [of a disk drive body] and being disposed so as to be detachable from the side faces [of a disk drive body]." Tsuji fails to teach the disk drive body; rather, Tsuji teaches only the various components of the housing. (Tsuji, 2:14, 3:66-67). For example, component 2, identified as reading on a disk drive body in the March 5 Office Action, is merely the "upper cabinet," (Tsuji, 2:52), of a "housing," (Tsuji, 2:8-9), "for accommodating . . . a floppy disk drive," (Tsuji, 2:4-6) (emphasis added). Although Tsuji may teach that the cabinets of the housing are meant to sandwich a disk drive body, (Tsuji, 3:66-4:2), Tsuji does not teach or suggest how the cabinets attach (or detach) from said disk drive body.

The September 12 Action purports that the phrase "disk drive body" can read upon the upper cabinet of Tsuji, or any disk drive part or component. This assertion is erroneous. "Although the PTO must give claims their broadest reasonable interpretation, this interpretation must be consistent with the one that those skilled in the art would reach." *In re Cortright*, 165 F.3d 1353, 1358 (Fed. Cir. 1999). *See also* MPEP § 2111. One skilled in the art would not understand "disk drive body" to describe a mere disk drive part or component. Rather, "disk drive body" would be understood to a person having ordinary skill in the art as "the main or

central part” of a disk drive<sup>1</sup>, or the “main mass,” “substance,” or “bulk” of a disk drive.<sup>2</sup>

Furthermore, these interpretations are consistent with the usage of “disk drive body” as it is used in Applicants’ specification. Applicants assert that it is plainly unreasonable to interpret the “body” of a thing as a mere cabinet intended for holding that thing.

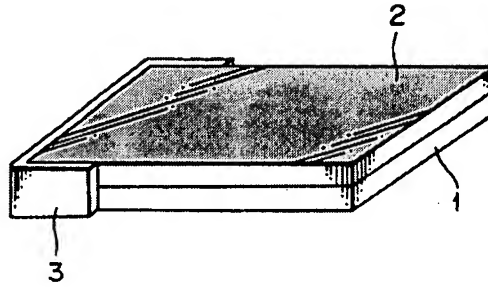
Furthermore, even if upper cabinet 2 could be interpreted as a disk drive body (which it cannot), lower cabinet 1 cannot be interpreted as “a decorative panel covering approximately the entire surface of the side faces and being disposed so as to be detachable from the side faces.” In the September 12 Action, it is argued that lower cabinet 1 covers approximately the entire surface of the side faces (allegedly adjacent each locking leg 24) of upper cabinet 2. With reference to Figs. 2A-2E of Tsuji, Applicants note that the indicated surfaces are not substantially covered by lower cabinet 2 at all; rather, the indicated surfaces remain exposed and merely adjacent to lower cabinet 1:



Regardless, the indicated surfaces cannot be interpreted as the recited “side faces substantially parallel to a recording surface of an inserted disk” (emphasis added). Rather, the indicated faces are *perpendicular* to a recording surface of an inserted disk. Tsuji does not teach or suggest that the face of upper cabinet 2 substantially parallel to a recording surface of an inserted disk (indicated below) is covered by lower cabinet 1 at all.

<sup>1</sup> *The American Heritage® Dictionary of the English Language, Fourth Edition*. Houghton Mifflin Company, 2004)

<sup>2</sup> *Webster's Encyclopedic Unabridged Dictionary of the English Language*, Gramercy Books, New York (1996)



For at least these reasons, claim 1 is patentable over Tsuji. Furthermore, claims 2, 4, 6, and 7, which are dependent on claim 1 and incorporate all of the limitations recited therein, are also patentable over Tsuji for at least these reasons. Accordingly, Applicants respectfully request that this rejection under 35 U.S.C. § 102(b) be withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. SON-3000 from which the undersigned is authorized to draw.

Dated: October 26, 2007

Respectfully submitted,

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